



**TOWN OF HARPSWELL  
PLANNING BOARD MINUTES  
FEBRUARY 21, 2007  
Approved March 7, 2007**

**MEMBERS PRESENT**

John Papacosma, Chairman  
Dorothy Carrier, Vice Chairman  
Joanne Rogers  
Robin Brooks

**MEMBERS ABSENT**

Kenneth Cichon

**STAFF PRESENT**

Jay Chace, Planner  
Marsha Hinton, Recording Secretary

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The Town of Harpswell Planning Board meeting being duly advertised in the Times Record was called to order at 6:44 p.m. by Mr. Papacosma, Chairman. Mr. Papacosma read the agenda and explained hearing procedures. Mr. Papacosma reported on the site visit attended by Mr. Brooks, Mr. Chace and Mr. Papacosma on February 20, 2007, starting at approximately 8:30 am.

**OLD BUSINESS**

**ITEM 1**

**07-02-03** Brunswick Housing Authority (Anne Bailey Benaquist – owner), Preliminary Subdivision Review, Commercial Fishing, Map 12-200, Harpswell Neck Road, Harpswell.

Mr. John Hodge, Executive Director of Brunswick Housing Authority, explained the proposal to develop affordable home ownership opportunities for working families earning 50% to 120% of the median income for Cumberland County. Mr. Hodge described financing and covenants to assure that the housing remain affordable for 50 years. Mr. Douglas Johnson explained the proposal to develop 15 homes on a 22 acre plot, lot size, location of the lots, shared driveways, wetlands, open space area, access to open space, septic designs, engineering, wooded buffer zones, and utilities.

Ms. Carrier asked how the applicant would insure that the natural buffering and tree growth will continue and requested a copy of the forest management letter due to the sensitivity of the Brunswick Housing Authority's preliminary subdivision review. Mr. Johnson stated that besides the Association and Town of Harpswell there would be third party enforcement by the Department of Environmental Protection to insure protection of the natural buffering and tree growth.

Mr. Papacosma opened the floor to members of the public who wished to comment on this agenda item.

Ms. Debora Levensailor, Great Island, spoke on the critical need for affordable housing in Harpswell, the documented desire of Harpswell citizens for affordable housing, and the work of several town committees to establish affordable housing. Ms. Levensailor asked what other advantages the developer saw in this proposal. Mr. Hodge stated that home ownership opportunities would be made available to various income levels, there would be a residency requirement, the proposal would increase the tax base, and the proposal would enable a more diverse community. Mr. Hodge discussed various avenues being explored to reduce the construction costs.

Ms. Paula Conley, South Harpswell, asked if Habitat for Humanity would be taking part in the development of this proposal. Mr. Hodge stated that there had been discussion with Habitat for Humanity on an informal basis and Brunswick Housing Authority has worked successfully with Habitat for Humanity in the past.

A member of the public asked if the house plans included basements. Mr. Hodge stated that the plan was to put in full basements and if that was not feasible they would build a garage to provide the extra storage space.

Mr. Richard Paradis, abutter, expressed his concerns with regard to blasting, the amount of water on the lot, filling, and stated that this project was a good idea. Mr. Paradis stated that his desire was to have Habitat for Humanity build several of these structures without blasting or impact to the wetlands. Mr. Hodge stated this project has been in development for approximately a year and a half and discussed the current ordinances. Mr. Johnson explained insurance requirements with regard to blasting as well as pointing out ledge and wetland locations. Mr. Paradis asked how much water was stored in the culverts. Mr. Tibbetts, engineer, discussed water quality, buffering, topography, the model, watersheds, the size of the current culverts, and drainage on the site.

Ms. Kim Powers, abutter, stated that she is in favor of affordable housing and expressed concern that it was a big step for residents on Shore Acres Road to go from a tree growth area to 15 residential units. Ms. Powers described the amount of ledge and water on the site and added there were other sites in Harpswell more suitable for such a development. Ms. Powers questioned the financial feasibility of the cost involved in blasting and the penalty attached to removing a site from tree growth. Mr. Hodge informed the Planning Board that the site was chosen because current owner has the public benefit in mind and is willing to sell property below market to establish affordable housing. Ms. Powers asked how the Kalm Harbour subdivision would impact this proposal. Mr. Johnson stated that Kalm Harbour is required to conform to the same standards that all subdivisions are currently held to and therefore should not have any additional runoff. Mr. Tibbetts stated that he did take Kalm Harbour into consideration and discussed the current culverts.

Mr. Dan Boland asked if the housing would be handicapped accessible. Mr. Hodge stated that the housing would be handicapped adaptable.

A member of the public asked about the proximity of septic systems to the wetlands, the locations for the septic systems, and how the proposal would obtain zero percentage runoff. Mr. Johnson stated that the markers had been placed but may have been displaced by the tree cutting. Mr. Tibbetts discussed the model used for establishing runoff amounts.

Mr. Peter Kaynor, abutter, expressed concerns with regard to a Drumlin Environmental Map which showed nitrate plumes. Mr. Kaynor asked about stormwater impact on the cove, vegetative buffers, traffic impact, and requested more time for review and input. Mr. Kaynor stated that he was in favor of affordable housing. Mr. Johnson pointed to the septic study which took in to account the plumes stating that the proposal met the required criteria. Mr. Johnson further discussed the deed restrictions, markers placed on the site to restrict cutting of vegetation, third party enforcement by the Department of Environmental Protection and the culverts in the area.

Mr. Sam Alexander, Chair of the Harpswell Board of Selectmen, asked if the Kalm Harbour subdivision was factored into the development of the stormwater model for this proposal. Mr. Alexander also asked to see the tree harvesting management plan. Mr. Alexander stated that he was in favor of this project but wants to have the drainage clarified as well as the issue of tree harvesting. Mr. Chace informed the Planning Board that a licensed forester submitted documentation to the Town of Harpswell stating that the current tree harvesting is in accordance with a timber harvesting plan. Mr. Hodge stated that ownership of the property is still in the hands of Ms. Benaquist adding that the harvesting isn't part of Brunswick Housing Authority's proposal and Brunswick Housing Authority has no control over the current timber harvesting.

Ms. Amy Haible, Selectman, stated that she supports the concept of this plan and hopes that it can move forward. Ms. Haible expressed concern with the creation of independent drainage patterns established by individual lot owners and asked the Planning Board to be aware of how each house is sited. Ms. Haible explained the connection between algae bloom and fertilizers used on lawns draining into water bodies as well as the negative effect of pesticides on lobsters. Mr. Johnson discussed covenants, enforcement, and the makeup of the site being prohibitive of establishing other drainage patterns.

Mr. Chace discussed the 2005 Comprehensive Plan and the development of ordinance language from that comprehensive plan as well as state law governing standing before the Planning Board. Mr. Chace explained how the tree growth program functions, the process for removing property from the tree growth program, and the fee structure. Mr. Chace stated that he would need to take a closer look at the ordinances with regard to septic locations near the wetlands. Mr. Chace added that the Town of Harpswell's engineering firm as well as the Department of Environmental Protection would review the Stormwater Plan.

The Planning Board discussed cost of the houses, location of septic systems to wetland, review by town consultants, enforcement of covenants, drainage, and the Kalm Harbour subdivision.

There being no further comments from the members of the public present being seen, Mr. Papacosma closed the public portion of the meeting.

Mr. Chace stated that Town staff has reviewed the application and found it to be complete. The Planning Board requested clarification or more information with regard to Subdivision Ordinances § 9 as follows: Review from the Roads Commissioner and Harpswell Neck Fire Chief with regard to § 9.2 Municipal Services; additional research with regard to the tree cutting plan with regard to § 9.3 Preservation of the Landscape; lot markers to be set prior to issuance of a building permit, completion of backup septic locations, and comments from the Harpswell Neck Fire Chief's with regard to § 9.6 Required Improvements; review of the erosion control plan by the town's engineering firm with regard to § 9.7 Erosion and Sedimentation Control; location of proposed utilities to be shown on the plan with regard to § 9.8 Utilities; have the applicant document amounts of fill, explore other driveway locations and staff review of the septic setback requirements for a forested wetland with regard to § 9.10 Impact on Wetlands; review of the Stormwater management plan by the town's engineering firm with regard to § 9.12 Stormwater Management; completion of the Maine Historic Preservation Commission's review with regard to § 9.14 Aesthetic, Cultural, and Natural Values; comments from the Road Commissioner and review by the town engineering firm with regard to § 9.15 Traffic Assessment; and documentation relating to financial capacity with regard to § 10 Performance Guarantee.

The Planning Board discussed the length of the agenda and the lateness of the hour. Mr. Papacosma stated, based on unanimous agreement from the Planning Board that new business items 07-02-01 Harpswell Boat Repair Associates, 07-02-02 Gordon & June Warren, and 07-02-04 BBI Builders, Inc. will be scheduled for a Planning Board meeting to be held on March 7, 2007 at 6:30 pm.

## **ITEM 2**

**06-08-01** Douglas A Johnson ( James and Jennifer Talbot – owners), Preliminary Subdivision Review, Shoreland Residential, Tax Map 14-14-1, Route 123, Harpswell.

Mr. Johnson described the proposal to subdivide the property into 10 lots. Mr. Johnson discussed the road, size of the lots, septic designs, wetlands, common area, easement, existing pond, dry hydrant, utilities, Department of Transportation subdivision entrance permit, and traffic study.

Mr. Chace stated that Town staff has reviewed the application and found it to be complete. The Planning Board requested clarification or more information with regard to Subdivision Ordinances § 9 follows: input from the Road Commissioner and Harpswell Neck Fire Chief with regard to § 9.2 Municipal Services; the setting of lot markers before issuance of a building permit, details showing the difference between the gross area and net area with regard to 9.5 Lands Not Suitable for Development; setting of lot markers before issuance of the first building permit, location of the utilities on the site plan, and finalization of the dry hydrant details with regard to § 9.6 Required Improvements; review of the erosion control plan by the town engineering firm with regard to § 9.7 Erosion and Sedimentation Control; location of utilities on the site plan with regard to § 9.8 Utilities; review of the stormwater management plan by the town's engineering firm with regard to § 9.12 Stormwater Management; review of the road plans by the town's engineering firm with regard to § 9.15 Traffic; and documentation relating to financial capacity with regard to § 10 Performance Guarantee. Ms. Carrier expressed her concern with the impact that fertilizer and pesticides would have on Curtis Cove.

Mr. Papacosma opened the floor to members of the public who wished to comment on this agenda item.

Mr. Kevin Crawford, Brunswick, asked about the wetland crossing on lot eight and if the trees would be removed for that crossing. Mr. Johnson stated that State of Maine agencies permitted that crossing and that trees would be removed.

There being no further comments from members of the public present, Mr. Papacosma closed the public portion of the meeting.

#### **Minutes of January 17, 2007**

The Planning Board discussed typographical errors. Ms. Rogers moved, seconded by Ms. Carrier to accept the minutes of January 17, 2007 as amended. Unanimous Approval

There being no other business before the Planning Board, **MS. CARRIER MOVED, SECONDED BY MS. ROGERS TO ADJOURN.**

Meeting adjourned at 9:55 p.m.

Respectfully Submitted,

Marsha M. Hinton  
Planning Assistant